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PATENT APPLICATION 3/10/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

FERMANN, MARTIN

Appln. No. 09/809,248

Group Art Unit: 2874

Confirmation No.: 2373

Examiner: Not yet assigned

Filed: March 16, 2001

For: SINGLE-POLARIZATION HIGH POWER FIBER LASERS AND AMPLIFIERS

PETITION UNDER 37 C.F.R. § 1.182 TO CORRECT FILING DATE

Commissioner for Patents
Washington, D.C. 20231

Sirs:

Applicant respectfully petitions to have the present application accorded a filing date of March 16, 2001. Attached in support of this Petition is the PTO-stamped receipt for the filing of the application, which bears the date of March 16, 2001. The background of this request is as follows:

1. The present application was filed with the PTO on March 16, 2001 by hand-carry delivery to the PTO's filing window. The PTO duly issued a receipt for this filing, a copy of which is attached as mentioned above.
2. However, the Official Filing Receipt for the subject application incorrectly indicated a filing date of March 21, 2001. Therefore, Applicant attempted to correct this error by filing a "Request for Corrected Filing Receipt", a copy of which is also enclosed.

Applicants have now received a PTO paper entitled "Response to Request for Corrected Filing Receipt", a copy of which is also attached. For reasons not clear to the undersigned,

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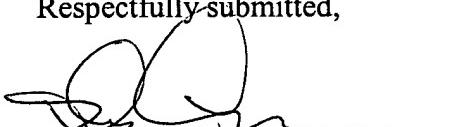
Petition Under 37 C.F.R. § 1.182 to Correct Filing Date
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Applicant's request to correct the Official Filing Receipt was denied because "a copy of the express mail label was not enclosed with (the) request". As mentioned previously, this application was filed by hand carrying the same directly to the PTO filing window, and correspondingly there is no "express mail label" to produce.

Inasmuch as clear proof that filing of this application was properly effected on March 16, 2001 has already been submitted and is being submitted again herewith, Applicant requests that this application be accorded its proper filing date of March 16, 2001, that the Official Filing Receipt be corrected to reflect this date, and that the "Response to Request for Corrected Filing Receipt" be vacated.

A check for the Petition fee of \$130.00 is attached to this Petition. Applicant simultaneously requests a refund of this Petition fee under Rule 26, inasmuch as this Petition should not have been necessary absent PTO error in refusing to correct the Official Filing Receipt in accordance with Applicants previously-submitted request.

Respectfully submitted,



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Date: February 22, 2002